

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Eugene James Logan, Jr.

Docket No. 7:99-CR-41-1BO

Petition for Action on Supervised Release

COMES NOW David W. Leake, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Eugene James Logan, Jr., who, upon an earlier plea of guilty to Possession of a Firearm by a Convicted Felon, in violation of 18 U.S.C. §§ 922(g)(1) and 924, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on September 7, 1999, to the custody of the Bureau of Prisons for a term of 405 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years. However, upon review under 28 U.S.C. § 2255, on December 2, 2016, the court resentenced the defendant to a term of 120 months imprisonment and 2 years of supervised release.

Eugene James Logan was released from custody on December 2, 2016, at which time the term of supervised release commenced.

On January 31, 2017, as a result of testing positive for cocaine, the court approved a Petition for Action requiring the defendant to serve 2 days in jail. He is awaiting scheduling of the 2-day jail term by the Bureau of Prisons.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant submitted to a urine test on February 3, 2017, which was confirmed positive for cocaine and Morphine by Alere Laboratories. When confronted about the positive drug test on February 21, 2017, the defendant confessed to using cocaine and apologized for his actions. The defendant has been referred to Coastal Horizons, Inc., for participation in the Substance Abuse Intensive Out-patient Program. Nonetheless, as a result of his use of cocaine, a 24-hour term of community service is recommended. Additionally, to address future drug use, it is recommended that the DROPS program has been added. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.
2. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; The defendant shall begin the DROPS Program in the second use level.

Except as herein modified, the judgment shall remain in full force and effect.

Eugene James Logan
Docket No. 7:99-CR-41-1BO
Petition For Action
Page 2

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ David W. Leake
David W. Leake
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-679-2045
Executed On: February 22, 2017

ORDER OF THE COURT

Considered and ordered this 23 day of February, 2017, and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge